

Regular Preside	The regular meeting of the Township Committee of Harmony Township, Warren County, New Jersey was called to order by Mayor Louis G. Mattei. Mayor Mattei made the following announcement: Adequate notice of this meeting was given in accordance with the Open Public Meetings Act by providing a notice of the meeting to The Star-Gazette and The Express-Times, posting a copy thereof on the Township bulletin board and filing a copy thereof in the office of the Municipal Clerk. The Pledge of Allegiance to the American Flag was led by Mayor Mattei.
Roll call	Present were Mayor Louis G. Mattei, Committeeman John H. Burdge, Committeewoman Abigail Postma, Municipal Attorney William R. Edleston, Engineer Nevitt Duveneck and Zoning/Code Enforcement/Public Officer John S. Fritts.
Recogni- tion	Mayor Mattei presented retired Municipal Clerk Loyce Johnson with an appreciation award for all of her years of dedicated service to the Municipal Offices and the residents of Harmony Township.
Consent Agenda	Moved by Mattei, seconded by Postma to approve the consent agenda items that included the following: Minutes January 6, 2004; reorganization January 6, 2004; regular January 6, 2004; executive January 19, 2004; budget work session January 29, 2004; budget work session Reports Municipal Court report which included (1) 21 new traffic complaints; (2) 31 ticket dispositions; (3) 39 pending traffic matters; (4) 7 new criminal complaints; (5) 5 criminal dispositions; (6) 23 pending criminal matters; (7) \$0.00 bail collected; (8) \$5018.00 general collected; (9) 3 court sessions held. Historical Preservation Commission meeting minutes of January 5, 2004. Tax Collector Joseph Hriczak report which included (1) 2003 year to date taxes collected \$25,474.52; (2) current year taxes collected \$252,234.41; (3) 2005 prepaid taxes collected \$0.00 (4) total for all accounts \$278,904.20. Raffle Harmony Township PTA Raffle License #RA:04-5 License Resolutions R:04-12 A Resolution For Appropriation Transfers During The First Three Months Of A Succeeding Year Whereas, it has become necessary to expend an amount in excess of the following Other Expense appropriation reserves of the 2003 Harmony Township Budget: General Administration and Planning Board; Now, Therefore, Be It Resolved, per NJSA 40A:4-59, that the Harmony Township Committee authorizes the Chief Financial Officer to

transfer between line items of the 2003 Harmony Township Budget, and that the transfers be as follows:

From:		
	Mayor and Council Salary and Wages -	\$2,500.00
	Workmen s Compensation Insurance -	\$3,000.00
To:		
	General Administration -	\$2,500.00
	Land Use Board -	\$3,000.00

R:04-13 New Jersey Department of Transportation
Local Aid Projects Recommendation of Award
State Aid Project

BE IT RESOLVED:

- ÿÿ That the Township Committee of the Township of Harmony hereby recommends to the New Jersey Department of Transportation that the base bid contract for the Guide rail Construction Project, in the Township of Harmony, County of Warren be awarded to Highway Safety Systems, Inc., P.O. Box 591, 5 South 3rd Street, Hammonton, New Jersey in the amount of \$75,000.00 under the 2004 Morris County Cooperative Bid Contract Prices, subject to the approval by the Commissioner of the Department of Transportation.
- ÿÿ That the Presiding Officer of this body be and is hereby directed to sign for and on its behalf the contract in the prescribed form for said construction.
- ÿÿ That the Municipal Clerk of this body be and is hereby directed to seal said contract with the corporate seal of this body and to attest to same.
- ÿÿ That upon receipt of a performance bond for not less than the amount of said contract executed in the prescribed form and heretofore approved by the Solicitor of this body, the Presiding Officer and Chief Financial Officer thereof be and are hereby in their discretion empowered to approve said bond.

R:04-14 A Resolution To Include A Special Item Of
Revenue for the Transportation Program

Whereas, the 2004 Local Municipal Budget was introduced on the 3rd day of February, 2004; and

Whereas, during fiscal year 2004 the Township of Harmony has been allocated a State grant for the Transportation Bond Issue Program in the amount of \$75,000.

Now, Therefore, Be It Resolved by the Township Committee of the Township of harmony that petition be made herewith to the Director of the Division of Local Government Services that the 2004 Local Municipal Budget include a special item of revenue under the heading of Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services Public and Private Revenues Offset with Appropriations: Transportation Bond Issue Program:, in the amount of \$75,000.00.

R:04-15 Resolution Awarding Bid For Interest Rate On Renewal Of Bond
Anticipation Note

WHEREAS, the Township of Hamony heretofore enacted Bond Ordinance No. 2001-03 on March 6, 2001, which authorized the issuance of the sum of Three Hundred Twenty Thousand (\$320,000.00) Dollars in bonds or notes, in conjunction with the acquisition of a fire fighting apparatus (a fire truck and accessories); and

WHEREAS, pursuant to the aforementioned Ordinance, the Township of Harmony, in turn, issued a Bond Anticipation Note in the amount of Two Hundred Fifty Six Thousand (\$256,000.00) Dollars, dated February 7, 2003, bearing interest at a rate of 1.67% per annum, and maturing February 6, 2004; and

WHEREAS, the Township has made a principal payment on said note in the amount of Sixty Four Thousand (\$64,000.00) Dollars, leaving a balance due thereon of One Hundred Ninety Two Thousand (\$192,000.00) Dollars; and

WHEREAS, the Township wishes to renew the balance due on said note pursuant to the award of a bid for the interest rate thereon;

NOW, THEREFORE, BE IT RESOLVED by the Harmony Township Committee on this 3rd day of February, 2004, that the Township s Chief Financial Officer is hereby authorized to renew the Bond Anticipation Note with Peapack-Gladstone Bank, dated February 10, 2004, bearing interest at a rate of 1.19% and maturing on February 9, 2005, in the amount of One Hundred Ninety Two Thousand (\$192,000.00) Dollars, with interest accruing thereon.

R:04:16 Road Reserve Trust Fund Application/Trust Fund/Dedication by Rider

Whereas, the Division of Local Government Services, Department of Community Affairs, State of New Jersey, has promulgated regulations for the use of snow reserve trust funds pursuant to NJSA 40A:4-62.1; and,

Whereas, such regulations provide for a budget transfer to be made by the municipality to a snow reserve trust fund; and,

Whereas, such snow reserves shall be accounted for in a separate trust fund maintained by the municipality.

Now, Therefore Be It Resolved by the Township Committee of the Township that such snow reserves be placed in a specific trust fund and such trust fund shall be considered a Dedication by Rider to the budget of the local unit per N.J.S. 40A:4-39 for the sole purpose stated above.

Be It Further Resolved, that a certified copy of this Resolution shall be forwarded to the Director of the Division of Local Government Services, Box 803, Trenton, New Jersey 08625-0803.

R:04-17 Municipal Public Defender Application/Trust Fund/ Dedication by Rider

Whereas, the Division of Local Government Services, Department of Community Affairs, State of New Jersey, has promulgated regulations for the Public Defender s Law pursuant to Chapter 256, P.L. 1997; and,

Whereas, such regulations provide for a surcharge fee to be collected by the municipality to be based upon provision within the public law and adoption of a new ordinance within the municipality; and,

Whereas, such surcharge fees shall be accounted for in a separate trust fund maintained by the municipality.

Now, Therefore Be It Resolved by the Township Committee of the Township of Harmony that such fees received by the municipality be placed in a specific trust fund and such trust fund shall be considered a Dedication by Rider to the budget of the local unit per N.J.S. 40A:4-39 for the sole purpose stated above.

ed, that a certified copy of this resolution shall be forwarded to the Director of the Division of Local Government Services, Box 803 Trenton, New Jersey 08625 0803.

Payment	Ck #		Amount
Of	9487	Allied Oil	567.02
Vouchers	9488	Warren Materials	406.43
	9489	High Bridge Salt	7,819.59
	9490	Waste Management of North	508.24
	9491	Agway Energy Products	1,070.52
	9492	Mace Consulting Engineers, P.C.	2,620.10
	9493	Finelli Consulting Engineers	3,262.25
	9494	Lyn Paul Aaroe, Esq.	1,897.50
	9495	NJSHBP	2,798.90
	9496	The Express-Times	1,075.56
	9497	Harkers Hollow Golf Club	250.00
	9498	Home Depot	1,067.29
	9499	Goodyear Tire Distribution Center	154.32
	9500	Macintosh Uniform Services	98.02
	9501	Aramark Uniform Services	148.08
	9502	Storr Tractor Co.	903.12
	9503	Poland Spring Water Co.	41.97
	9504	Seely Equipment & Supply Co.	3,680.97
	9505	NAPA Auto Parts	110.74
	9506	Jiorle s Office Supplies	2,657.84
	9507	James E. Fox	19.50
	9508	General Code Publishers Corp.	1,325.55
	9509	Registrar s Association of NJ	15.00
	9510	Expanets	80.00
	9511	United Trust Bank	87.72

9512	Harmony Hardware	191.67	
9513	NJEMA	65.00	
9514	Tax Collector s & Treasurer s	30.00	
9515	Agway Energy Products	293.00	
9516	Feilbach s Welding	60.00	
9517	NJPZA	40.00	
9518	Stamp Fulfillment Services	210.85	
9519	NJN Publishing Co.	314.29	
9520	Probe Lawyers Service	497.00	
9521	ANJEC	250.00	
9522	White Glove Treatment	120.00	
9523	The Express-Times	539.50	
9524	Verizon	551.82	
9525	Gene & George Smith Sanitation	211.92	
9526	Safety-Kleen Corp	195.00	
9527	Foster & Co., Inc.	320.54	
9528	W.C. Pollution Control Fin. Auth.	796.00	
9529	A&S Hydraulics, Inc.	253.00	
9530	AT&T Wireless Service	166.83	
9531	Powerco, Inc.	20.57	
9532	Snyder Lubricants & Supplies, Inc.	328.66	
9533	NJN Publishing Co.	763.16	
9534	The Express-Times	387.56	
9535	Treasurer, State of NJ	275.00	
9536	Voided Jiorle s Office Supplies		(\$853.53)
9537	Harmony Sand & Gravel, Inc.	2,226.06	
9538	Mace Consulting Engineers, P.C.	1,664.58	
9539	Lyn Paul Aaroe, Esq.	1,625.98	
9540	Harmony Twp. Board of Ed.	1,200,161.75	
9541	County of Warren-Treasurer	14,304.14	
9542	County of Warren-Treasurer	726,609.05	
9543	County of Warren-Treasurer	71,091.79	
9544	Powerco, Inc.	180.56	
9545	St. of NJ Gross Income Tax	606.94	
9546	Postmaster	148.00	
9547	Net Access Corp.	75.00	
9548	AT&T	81.96	
9549	International Healthcare, Inc.	185.00	
9550	JCP&L	665.30	
9551	Joseph Shandor	150.00	
9552	William R. Edleston, Esq.	3,657.50	
4638	James E. Fox	2,290.38	
4639	Randy M. Hoffman	1,229.21	
4640	Frank I. McLain, Jr.	1,596.81	
4641	Kelley D. Smith	897.76	
	Debit Memo-EFTPS	2,607.45	
	Debit Memo-PERS	1,250.00	
4642	James E. Fox	1,762.65	
4643	Randy M. Hoffman	1,176.17	
4644	Frank I. McLain	1,346.78	
4645	Kelley D. Smith	1,495.65	
4646	J. Richard Collins	287.83	
4647	Mary E. Dobes	1,350.14	
4648	John S. Fritts	610.08	
4649	Joseph Hriczak	1,144.00	
4650	Richard J. Motyka	972.47	
4651	Theresa Rogers	320.33	
4652	Ann D. Viebrock	568.33	
1003	Denville Line Painting, Inc.	1,465.52	
1004	Finelli Consulting Engineers	718.25	
3189	Leggette, Brasheares & Graham, Inc.	3,944.85	
3190	Lyn Paul Aaroe, Esq.	616.45	
3191	Mace Consulting Engineers, P.C.	481.60	
3192	Lyn Paul Aaroe, Esq.	747.50	
3193	Mace Consulting Engineers, P.C.	1,399.00	
3194	Finelli Consulting Engineers	249.00	
874	Harmony Animal Hospital	275.00	
1031	Finelli Consulting Engineers	640.00	

Roll Call: Ayes: Mattei, Postma, Burdge. Nays: none.

Reports
Presented

Engineer Duveneck reported on the following items, (1) Rotondi/Harmony Compost; inspection was made by the engineers office with Mayor Mattei. Conditions remain consistent with previous inspections. It appears that excessive amounts of leaf material has been delivered and is being processed. Tree and limb parts have been stockpiled for processing into mulch, only other deviation from approved site plan is the processing of product on Lot 12. Mayor Mattei asked when the last time the committee met with Rotondi representatives regarding Lot 12 was. Engineer Duveneck explained that the municipal language has been removed from the permit and the NJDEP preempts local jurisdiction.

Attorney Edleston gave previous scenarios with Rotundi in court, the judge agreed with the DEP and also noted that the Warren County Solid Waste Advisory Council would need to approve any expansion of the site. Engineer Duveneck reviewed current complaints that are not being addressed and noted that Dave Dech is aware of concerns, (2) FEMA Flood Mitigation Grant Application has been put on hold until price quotes on the elevation of the homes are received, (3) Ridge Road Section II NJDOT documentation has been completed and final voucher for the project is ready to be signed. Documents will be forwarded to NJDOT to close out the project, (4) Mason Dump Truck State Bid Prices have been provided with an analysis of prices from the Morris County Cooperative and the NJ State Bid Contract, Engineer Duveneck recommended that the Township purchase a mason dump truck from one of the two vendors that supply this equipment for the two contacts listed above, (5) Road Resurfacing Price Comparison for Oil and Chip, a cost analysis of the pricing has been completed and their office recommends that the Township put the project out to bid, (6) Merrill Creek Stop Sign Ordinance has been received by the NJDOT and is being processed, (7) Ridge Road Speed Limit request has been returned for further engineering work. The NJDOT has discovered that the section of the Ordinance cited in the Speed Limit Ordinance has not been approved by the NJDOT and there is a need to provide specific traffic engineering reports that supports the proposed speed limit, (8) Unified Environmental (Hydopress), at the request of the Mayor, their office contacted the NJEP Office for Pretreatment Residuals, as well as, the Air Monitoring Office to determine the status of the permits that Unified Environmental needs to start operations. Mayor Mattei reviewed the meeting he attended with Attorney Edleston and representatives of Unified. He reported that it is their intent to stay in business, the material being stored in building is not sludge, it is being processed for shipment. Attorney Edleston noted that they plan on resuming operations in the near future to finish the product at the facility. He also noted that they are in the process of refinancing and making administrative changes. They will be addressing the delinquent taxes in the near future. Engineer Duveneck stated that per the DEP, there is no place in New Jersey where their product can be applied. Attorney Edleston said they have possibilities in New York and Pennsylvania for application and he recommended that representation from Harmony Township attend any DEP meetings regarding this facility, (9) NJDOT Municipal Trust Fund Grant for Guide rail replacement has been received by the Township in the amount of \$75,000. Engineer Duveneck reviewed the prices for guide rail replacement through the Morris County COOP program and noted that the State Contract does not include guide rail installation as a bid item. It is their recommendation that the Township pass a Resolution to award the guide rail project to the Morris County Coop. vendor, Statewide Highway Systems, Inc. in the amount of \$70,000. This allows for \$5000.00 of the grant to cover inspection and close-out of the project, which according to the NJDOT guidelines, the municipality can request reimbursement for same. Noted for the record that the guiderail project was awarded by resolution within the consent agenda.

Moved by Mayor Mattei, seconded by Burdge to authorize Engineer Duveneck to proceed with the traffic engineer report to support the Ridge Road Speed Limit as requested by the NJDOT. Roll Call: Ayes: Mattei, Burdge, Postma. Nays: none.

Moved by Burdge, seconded by Mattei to accept the engineer's report as presented. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.

Road Supervisor James Fox discussed the road department report for the month of January and noted that he has provided quotes for an expansion of the Recreation Site Snack Bar.

Moved by Burdge, seconded by Postma to accept the road supervisor's report as presented. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.

Zoning Officer John Fritts reported on the following items, (1) Rich Simpson called to review the information submitted for the zoning clearance of Block 9, Lot 19.01; (2) Gail Raub visited the office to review subdivision information and road frontages; (3) David Mininni requested a zoning release for a property on Harmony Station Road, required a site visit. The surveyor certified the location of the driveway entrance according to plan. It was determined that prior to paving the entrance, additional modified stone is required to raise the driveway elevation to achieve maximum site distance; (4) David Schanzlin requested a driveway and c/o release. Driveway entrance is not complete; (5) Bob Welch, Page Engineering, called about the driveway to Block 9, Lot 20.03; (6) Lind Moran of 2245 Belvidere Road called in reference to combine two 1.5 acre lots and re-subdivided back into three one acre lots. The office/business zone permits one acre zoning, but the third lot would not have any road frontage. A variance is required.; (7) Tony Famia, Richline Road, called for the setbacks in the R-300 Zone; (8) Cindy, Bucks County Drilling, called about the well ordinance and testing procedures. John spoke with the county health department about the ordinance. They presently do not have the proper manpower or testing procedures to enforce the ordinance.; (9) Rick Simpson called about the zoning permit, John explained that the driveway, septic and well approval are required before the issuance of the zoning permit.; (10) John Chando called about installing a propane tank next to a house, no zoning permit is required for this.; (11) Mary Ellen, Harmony Brass Castle Road, asked about having sheep on the property, which is not a farm. Horses require once acre per horse, but there is nothing that would permit goats. A variance is required.; (12) Gene Boyd, 2 Lenape Lane, called about building in the flood zone. DEP approval for the building and septic area is required.; (13) Jim Reich called about the information for building on Ridge Road. Driveway, well and septic approval are not complete.; (14) Mr. Pernini, Esposito Road, received a permit to build a 40x60x14 ft. barn on the existing house 5 acre lot for housing a boat, camper, mowers and farm equipment.; (15) Mrs. Ward called about a fence in the front yard at the neighbor's house. The fence is being used to hold back leaves blowing from the highway. There are metal stakes with ½ mesh attached creating this temporary fence. Maximum height is 30 inches high.

Committeeman Burdge requested Mr. Fritts to investigate and follow up on dump trucks that are being parked on 3rd street in Brainards. This is in violation of Township Code.

Moved by Burdge, seconded by Postma to accept the Zoning Officer s report as presented. Roll Call:
Ayes: Burdge, Postma, Mattei. Nays: none.

Corres-
pondence

The following correspondence was reviewed:

State of New Jersey, Department of Environmental Protection
Stormwater permit package; includes application process and timelines, grant monies available and DEP contacts.

Warren County Planning Department
Requests creation of a Cross Acceptance Team consisting of 4 members.

Warren County Housing Programs
2003 Counsel on Affordable Housing Rehabilitation activity report.

Office of the Governor
ÿÿ Information regarding the Do Not Call Legislation
ÿÿ Information regarding 20,000 acres of NJ farmland preserved in 2003

New Jersey State League of Municipalities
ÿÿ Information regarding the NLC Resolution and Patriot Act Rights
ÿÿ Information on TDR Bill, Flag Displays, Abandoned Properties Bill
ÿÿ Information on Cell Phone Bill
ÿÿ Information on Stormwater Regulations
ÿÿ Recap of Laws in 2003

Allegheny Society of American Foresters, NJ Division
Position statement on Land Use Planning and Stewardship; requests consideration by the planning board, open space committee and environmental commission.

R:04-18 Moved by Burdge, seconded by Postma to introduce the following resolution:
2004

Budget

Municipal Budget of the Township of Harmony, County of Warren, for the Fiscal Year 2004
Be it Resolved, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2004;

Be it Further Resolved, that said Budget be published in the Star Gazette in the issue of February 19, 2004;

The Governing Body of the Township of Harmony does hereby introduce the Budget for the year 2004, that includes

ÿÿ Total Anticipated General Revenues in the amount of \$1,937,209.00.

ÿÿ Total Anticipated General Appropriations in the amount of \$1,937,209.00.

This 2004 budget, as presented necessitates a local tax levy of \$.138 per \$100 assessed valuation, which is a \$.03 cent per \$100 assessed valuation increase from the 2003 budget.

Notice is hereby given that the introduction of the Budget and Tax Resolution was approved by the Township Committee of the Township of Harmony, County of Warren, on February 3, 2004.

A hearing on the Budget and Tax Resolution will be held at the Municipal Building on March 2, 2004 at 8:00 p.m. at which time and place objections to said Budget and Tax Resolution for the year 2004 may be presented by taxpayers or other interested persons.

RECORDED VOTE:

Ayes:	Nays:	Abstained:
Burdge	None	None
Postma		
Mattei		

Harmony
Sand & Represent
Gravel
2004
Operating
Permit
Public
Hearing

The operating permit for Harmony Sand and Gravel was considered for renewal. Representatives from Harmony Sand and Gravel were present for discussion and to answer any questions brought forth by the committee. Municipal Engineer Nevitt Duveneck reviewed his report dated January 29, 2004. He noted that Mayor Mattei was present during his inspection. Engineer Duveneck reported that all documentation required for this application has been received as of this date. Engineer Duveneck s Report noted that active mining is being performed in the Front Pit. The Front Pit has had the topsoil stripped and is slated to be the active mining area for the 2004 license. Hartung Pit 2 which has been the main quarry pit located to the right of the entrance roadway for the site appears to remain inundated with water. He noted that the applicant has applied to the Land Use Board for a variance to excavate deeper than the approved depth of 260 feet in both the Front Pit and Hartung Pit 2. The inspection found additional areas of restoration within Hartung Pit 2 which is a continuation of work completed in previous years. The applicant has complied with the majority of all requirements within the Township s Quarry Ordinance (Chapter 128). Discussion was held on the extensive time it has taken to create new

	<p>maps with changes that were requested by Land Use Board Engineer Doug Mace. Mr. Panicucci, Engineering representative for HS&G, stated that the new maps were prepared and are presently being copied for distribution. Attorney Glynn, representing HS&G, commented that they were waiting for comments back on the hydro geologic report from the Land Use Board. Attorney Glynn also addressed the requests made by Engineer Mace on the maps. He also noted that the maps had to be completely recreated and reassured that they will be mailed out within this week. Attorney Edleston suggested Mr. Glynn request Doug Mace expedite his review, copy Engineer Duveneck and Attorney Edleston on any correspondence. Attorney Glynn stated that they are requesting permission to mine in the front pit only, Hartung pit #2 is under water and excavation can not be done at this time. He also noted that the 2004 Permit Application is for mining above the depth permitted. Engineer Duveneck continued to review his report. Discussion continued on the slopes, the 15 cut limitations, how the performance guaranty was calculated for an increase in the bond, and the Roxburg Road berm area. He noted that a noise study would not be required until the 2005 gravel permit application. He recommended that the restoration bond of \$250,000 not be reduced. Attorney Glynn and President Richard Hummer agreed to provide a restoration bond in the amount of \$269,900. Engineer Duveneck recommended approving the 2004 permit requests with waivers to the 15 acre minimum disturbed area, 15 maximum cut limitations, evergreen buffers for screening.</p> <p>Moved by Burdge, seconded by Mattei to grant waivers as recommended by Engineer Duveneck noted above. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.</p> <p>Moved by Burdge, seconded by Postma to grant the 2004 Operating Permit to Harmony Sand and Gravel with the following provisions; (1) A performance bond be provided in the amount of \$269,900, (2) repairs be made to the safety fence surrounding Hartung Pit #2 in a timely manner, (3) all necessary paper work be submitted to the Land Use Board and Township Committee, with copies to Engineer Duveneck and Attorney Edleston, no later than February 29, 2004. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.</p>
Shandor s Junkyard 2004 Operating Permit	<p>The operating permit for Shandor s Junkyard was considered for renewal at this time. No representatives for Shandor s Junkyard were present at any time during this meeting. Moved by Burdge, seconded by Postma to deny the 2004 operating permit until the 1999 Resolution conditions are met. Roll Call: Ayes: Burdge, Postma, Mattei. Nays: none.</p> <p>Attorney Edleston agreed that it was appropriate at this time to deny due to the continuing violations and verbal and written threats to the committee members, Municipal Engineer and Zoning Officer. Engineer Duveneck reviewed his report and conditions of the junkyard at the time of his inspection. It was noted that a site plan was not submitted in conjunction with this application. Moved by Mayor Mattei, seconded by Burdge to authorize Attorney Edleston to send a letter, certified mail and regular mail, to Mr. Joseph Shandor notifying him that his renewal application has been denied, that he has 20 days to bring the site into compliance per the 1999 resolution, and that an inspection will take place on March 1, 2004, during the afternoon hours. Roll Call: Ayes: Mattei, Burdge, Postma. Nays: none. The request for renewal will be reconsidered during the regular meeting in March 2004.</p>
Warren County Mosquito Commission	<p>Moved by Burdge, seconded by Mattei to approve aerial applications in Harmony Township by the Warren County Mosquito Extermination Commission for the 2004 season. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.</p>
Part-time Deputy Clerk O:04-01	<p>AN ORDINANCE AMENDING CHAPTER 25 OF THE CODE OF THE TOWNSHIP OF HARMONY ENTITLED OFFICERS AND EMPLOYEES BY CREATING THE THE POSITION OF PART-TIME DEPUTY MUNICIPAL CLERK was called up for second reading by title only, a copy of said ordinance having been posted on the Township bulletin board, published in the January 15, 2004 edition of the Star Gazette, the official newspaper of the township and copies made available for public inspection.</p> <p>Moved by Mattei, seconded by Burdge that a hearing on the ordinance be opened to the public. Roll call: Ayes: Mattei, Burdge, Postma. Nays: none.</p> <p>There being no public comment, moved by Mattei, seconded by Burdge to close the public hearing. Roll call: Ayes: Mattei, Burdge, Postma. Nays: none.</p>
Adoption	<p>Moved by Mattei, seconded by Postma that an ordinance entitled An ordinance amending chapter 25 of the code of the Township of Harmony entitled Officers and employees by creating the position of Part-time Deputy Municipal Clerk appearing on pages 165-166, pass second reading and be adopted, be advertised in the Star-Gazette and become effective according to law. Roll Call: Ayes: Mattei, Postma, Burdge. Nays: none.</p>
Establish An Index Rate Greater Than the Certified Rate for The year 2004 O:04-02	<p>AN ORDINANCE TO ESTABLISH AN INDEX RATE GREATER THAN THE CERTIFIED RATE FOR THE YEAR 2004 was called up for second reading by title only, a copy of said ordinance having been posted on the Township bulletin board, published in the January 15, 2004 edition of the Star Gazette, the official newspaper of the township, and copies made available for public inspection.</p> <p>Moved by Mattei, seconded by Burdge that a hearing on the ordinance be opened to the public. Roll call: Ayes: Mattei, Burdge, Postma. Nays: none.</p> <p>There being no public comment, moved by Mattei, seconded by Burdge to close the public hearing. Roll call: Ayes: Mattei, Burdge, Postma. Nays: none.</p>

Adoption	Moved by Mattei, seconded by Postma that an ordinance entitled An ordinance to establish an index rate greater than the certified rate for the year 2004 appearing on pages 166-167, pass second reading and be adopted, be advertised in the Star-Gazette and become effective according to law. Roll Call: Ayes: Mattei, Postma, Burdge. Nays: none.
Public Comment	<p>Ms. Laurie Taffner of Harkers Hollow Court discussed the site inspection done by Road Supervisor Jim Fox. She noted that the grate is in need of repair. Committeeman Burdge stated that he had been made aware of the work that needs to be done and he informed Ms. Taffner that it will be taken care of in the spring once the ground thaws and the weather permits excavation. Ms. Taffner also addressed the committee about the gravel that the neighbor above her receives each spring and it ultimately ends up in her driveway creating a hazard. The committee recommended that she takes pictures and report back to the committee when this occurs. She was reassured that the problem is being looked into for remediation, but it may take some time to correct.</p> <p>Karen Buckley, Environmental Commission Chairperson, requested that she be advised when meetings are held with Unified Environmental. She informed the committee that she is sure a truck made a delivery to the Unified facility on Christmas morning. She stated that Unified may not even be aware of the air permit fines that were created by Hydropress and that she remains skeptical on their promises because they have yet to come through on any thing they ve promised. Karen discussed the ANJEC Grant and that she would like to apply for funding of the Harmony Township s Natural Resource Inventory. Committeeman Burdge requested that she email all grant requests to the Municipal Clerk in order for them to be put on the agenda.</p>
Executive Session 9:30 p.m. to 9:50 p.m.	<p>Moved by Mattei, seconded by Burdge to go into executive session at this time. Roll Call: Ayes: Mattei, Burdge, Postma. Nays: None.</p> <p>WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975 R:04-19 permits the exclusion of the public from a meeting in certain circumstances; and</p> <p>WHEREAS, this public body is of the opinion that such circumstances present exist.</p> <p>NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Harmony, County of Warren and State of New Jersey, as follows:</p> <ol style="list-style-type: none">1. The public shall be excluded from discussion of and action upon the hereinafter specified matter.2. The general nature of the subject matter to be discussed is as follows: potential litigation3. It is anticipated at this time that the above stated matter will be made public at such time as deemed appropriate.4. This Resolution shall take effect immediately. <p>There being no further discussion, the meeting was reopened to the public at 9:50 p.m.</p>
Drug Free School Zone Ordinance	Moved by Burdge, seconded by Mattei authorizing Attorney Edleston and Engineer Duveneck to proceed with creating a map and ordinance as requested by the Warren County Prosecutors Office outlining the Drug Free School Zone in Harmony Township. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.
Tax Assessor	Moved by Burdge, seconded by Mattei authorizing Attorney Edleston to write a letter to the township Tax Assessor Rich Motyka in reference to the Merrill Creek Tax Appeal Process. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: none.
Adjourn:	Moved by Burdge, seconded by Mattei to adjourn the meeting at 10:00 p.m. Roll Call: Ayes: Burdge, Mattei, Postma. Nays: None.

Kelley D. Smith, Municipal Clerk